

Measure E Citizens' Oversight Committee Meeting Minutes

YCCD Board Room

May 10, 2005, 6:00 p.m. to 7:30 p.m.

Members Present: Richard Blunt, David F. Geer, Michael L. Gianelli, Alfie Johnson, Rodney B. Lindsay Sr., Steve Madison, Luis I. Molina, Debbie Paffendorf, Les Weidmann, Richard S. York Jr.

Members Absent: Stan Hodges, John H. Keiter, Betty Ann Prescott, Michelle Shelton, Roy W. Wasden

Others Present: James Williams, Teresa Scott, David Casnocha, Nick Stavrianoudakis, Deborah Campbell, Linda Flores, Anne DeMartini, Maria L. Baker, Mark Newton, Letitia Senechal, Gabriele Steiner, Amy Bethel, Mark A. Anglin, Jim Howen, Jon Kropp, Will McCombs, Richard Sweeney, Bill Scroggins, Elaine Kopp, Jerome G. Kopp, Frank Johnson, George Retamoza, Graciela Molina (recorder)

Meeting called to order at 6:05 p.m. in YCCD, Central Services, Board Room.

1. Welcome by Dr. Jim Williams, Chancellor

Dr. Williams welcomed the group, acknowledged YCCD Board of Trustees Linda Flores and Anne DeMartini. He thanked the committee members for volunteering to serve.

2. Self-Introductions by Committee Members, Staff, Committee Consultants and Others

The Citizens' Oversight Committee Members present introduced themselves.

3. Appointment of Committee Chair by Chancellor

Dr. Williams appointed Luis I. Molina to serve as initial chairperson for the first two years.

4. Review Role and Responsibilities of Committee and Bylaws by David Casnocha, Bond Counsel

Chancellor Williams introduced David Casnocha, District Bond Attorney. Mr. Casnocha reported the first series of Measure E bonds closed the morning of May 10th and sold at \$ 94.445 million. Mr. Casnocha reminded the committee that Measure E was a Prop 39 bond, which required 55% voter approval a lower passage threshold that required the district to agree to a number of conditions prior to its passage. Three conditions worth noting were stated: 1) the District had to establish a citizen's oversight committee, 2) the District had to be more specific with the bond projects as they approached voters when requesting an election, and 3) the District has subjected itself to annual/independent performance and financial audits, that are part of the Prop 39 requirements, separate from the normal end of the year audits.

Mr. Casnocha reviewed the bylaws, and highlighted the origins of the sections. He noted that any requests for amendments to the bylaws require YCCD Board approval. He reported that the committee is strictly an advisory committee. The committee is subject to the Brown Act, all meetings are public and all business will be conducted in open session. Discussion topics should be restricted to agenda items only.

Mr. Casnocha reviewed the duties of the group that are defined by the State Legislature. The committee's three major functions will be to 1) review expenditures to ensure the bond monies were spent on Measure E projects and ensure that funds were not used for

teacher or administrative salaries; 2) inform the public of conclusions it has reached with respect to the expenditures of Bond monies and; 3) present an annual written report stating whether the District is in compliance and provide a summary of the committee's proceedings and activities for the preceding year.

The committee may engage in the following authorized activities: review performance and financial audits, inspect college facilities for which bond proceeds have been expended, review deferred maintenance proposals and review efforts to maximize bond proceeds.

Mr. Casnocha reported that Measure E projects consist of all projects listed in the District's Facilities Master Plan. He stated that the Attorney General has opined that bond monies can be used for district employee's salaries only if their time can be directly related to the working on capital outlay projects for Measure E. He will provide a copy of the Attorney General's comments regarding salaries to all committee members.

Ms. Teresa Scott, Executive Vice Chancellor, responded to a question about Scheduled/Deferred Maintenance and reported that the 50% match the District is required to provide will be taken from bond funds.

Mr. Casnocha reported that the District has established a website for the committee. Nick Stavrianoudakis is the contact person for information on the website. The agenda, bylaws, Facilities Master Plan, and committee member names are few items currently on the website. Also, the committee through its Chair person can provide updates to the Board of Trustees. He stated that the committee will decide how it will inform the public with respect to the expenditure of bond monies. Finally the oversight committee will prepare an annual report.

Mr. Casnocha stated the law requires the committee to meet annually. The District must assist the committee with complying with the Brown Act. The public should address all comments to the Citizens' Oversight Committee in a public forum, at a public meeting.

5. Election of Vice Chair

Chancellor Williams called for volunteers for a Vice Chair and Rodney B. Lindsay Sr. volunteered.

6. Selection of Terms

The committee chair will serve an automatic 2-year term, Luis I. Molina – 2 years. By lot process seven members will serve a 2-year term and seven members will serve a 1-year term. Committee members by draw selected the number of years they would serve on their first term: Richard Blunt – 1 year, David F. Geer – 2 years, Michael L. Gianelli – 1 year, Alfie Johnson – 2 years, Rodney B. Lindsay Sr. – 1 year, Steve Madison – 1 year, Luis I. Molina – 2 years, Debbie Paffendorf – 2 years, Les Weidmann – 2 years, and Richard S. York Jr. – 2 years. Chancellor Williams drew for the committee members absent at this meeting. Betty Ann Prescott – 2 years, Stan Hodges – 1 year, Roy W. Wasden – 1 year, John H. Keiter – 1 year and Michelle Shelton – 2 years.

7. Measure E Construction Program Presentation

Maria Baker, Director of Facilities Planning and Operations, provided a draft proposal list of Measure E Project Phases where projects have been divided into four phases. The Board of Trustees approved Kitchell as the program management firm who will manage

the YCCD bond projects. Program management firms are hired as planning staff augmentation and their expertise is used to develop a master schedule, look at costs, and work with college coordination and project committees.

Ms. Baker introduced Mark Newton, Program Director with Kitchell who provided a brief overview and next steps for the program management firm. The Kitchell team will interview site and project committees to understand their priorities, assess facilities, to create a master schedule and budget, to document the decision making process and try to maximize the bond funding. Also, it is the objective to create four new educational centers, Patterson, Turlock, Calaveras and Oakdale are the proposed sites. Mr. Newton stated that the first and foremost essential goal is to move forward with the modernization program.

9. Future Meeting Dates

The Citizens' Oversight Committee members came to consensus that meetings would be scheduled on a quarterly basis, the 1st Wednesday of the month from 6:00 pm to 7:00 pm, beginning July 6, 2005. Dr. Williams stated that the committee might want to occasionally meet in the Columbia area. Committee Chair Luis I. Molina recommended meeting in the areas where educational centers are scheduled to be built.

The next meeting will take place on Wednesday, July 6th, 2005 at the Yosemite Community College District Board Room. A schedule of meetings will be discussed at the next Citizens' Oversight Committee meeting.

10. Public Comments

Dr. Bill Scroggins asked that specific comments regarding Measure E projects be directed to the Modesto Junior College Measure E coordinating committee. Constituencies of the college, faculty, staff, and students are represented in this committee.

YCCD Trustee Anne DeMartini thank the committee members on behalf of the Board for being part of this process and acknowledged their important responsibility of communicating their findings to the public.

Chair Luis Molina stated that the minutes would be posted to the website after they were approved at the next meeting.

11. Adjourn

The Citizens' Oversight Committee meeting was adjourned at 7:35pm.

The next meeting will be held on Wednesday, July 6, 2005, at 6:00 pm in the Yosemite Community College District Board Room.